

GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES
DIVISION FOR CHILDREN

ARIZONA JUVENILE JUSTICE COMMISSION

Plan for Removal of Juveniles from Adult Jails and Lockups

Introduction

Arizona continues to receive a finding of compliance with the Jail Removal [Section 223(a)(14)] core requirement of the JJDP Act.

➤ Strategy, Specific Activities, and Time Frame

As described in detail in the Plan for Compliance Monitoring section, the improvement of the compliance monitoring process has had a notable impact on the number of violations reported. Of the 190 total jail removal violations reported in Arizona's 2002 Compliance Monitoring Report, 159 (84%) were status offenders secured for any length of time in an adult jail or lockup. Due to this fact, the plan for compliance with DSO will also address most issues of non-compliance with the jail removal regulation.

The remaining 31 (16%) of removal violations were instances of secure holding of accused delinquents past the allowable six-hour time frame. The following table describes specific strategies, activities, and time frames outlined to address six-hour Jail Removal violations in Arizona:

Strategy	Activity	Time Frame
Continue Site Visits	<ul style="list-style-type: none">➤ Continue to conduct regular site visits to provide regular, on-site technical assistance and education regarding core requirements➤ Work with departments regarding new facilities to ensure policies include six-hour time limit➤ Collect policies and to ensure consistency with core requirements	<ul style="list-style-type: none">➤ Continuous, and on an as-needed basis
Develop Training Materials	<ul style="list-style-type: none">➤ Develop a training manual that may be distributed to all law enforcement agencies regarding core requirements➤ Develop survey to distribute to law enforcement to determine training needs	<ul style="list-style-type: none">➤ Completion of manuals to be determined based upon issuance of final regulations on reauthorization➤ Survey completion by March 2004

Strategy	Activity	Time Frame
Provide Facility-Specific Training Tools	<ul style="list-style-type: none"> ➤ Utilize survey results to determine what facility-specific needs are ➤ Develop training tools for agency (signs, manual supplements, etc.) to assist department with training efforts 	<ul style="list-style-type: none"> ➤ Utilize results of survey – estimated completion by December 2004 (will depend upon facility responses and depth of needs)
Conduct Immediate Follow-up on Violations Reported	<ul style="list-style-type: none"> ➤ Phone/Email follow-up to determine circumstances of violation and any necessary follow-up activities (department training, etc.) 	<ul style="list-style-type: none"> ➤ Continuous
Enhancement of Database to Collect Violation Circumstances	<ul style="list-style-type: none"> ➤ Add fields in the Compliance Monitoring Universe database to collect information regarding situations causing violations to identify areas of focus to prevent future violations 	<ul style="list-style-type: none"> ➤ Enhancement of Database Completed by July 2003

Barriers to Achieving Full Compliance with Six-Hour Jail Removal

(See DSO Section for barriers regarding holding of status offenders)

Barrier	Possible Courses to Overcome	Resources
<ul style="list-style-type: none"> ➤ Ongoing training and education is required, as facility staff turnover may contribute to noncompliance of this core requirement. 	<ul style="list-style-type: none"> ➤ Develop a training manual that may be distributed to all law enforcement agencies regarding core requirements ➤ Develop other training materials to assist departments in their compliance training efforts 	<ul style="list-style-type: none"> ➤ JJDP Title II funds used to support compliance monitoring activities, such as regular site visits and production/distribution of training materials. ➤ OJJDP technical assistance training when necessary

Barrier	Possible Courses to Overcome	Resources
<ul style="list-style-type: none"> ➤ Department policies may not address time restrictions for temporary holding of juveniles 	<ul style="list-style-type: none"> ➤ Continue conducting site visits to any facilities reporting difficulty in meeting the six-hour removal requirement to develop alternative procedures. ➤ Collect policies and recommend changes to ensure consistency with core requirements 	<ul style="list-style-type: none"> ➤ JJDP Title II funds used to support compliance monitoring activities ➤ Department records/policies regarding temporary holding of juveniles; published best practice policies

Positives in Addressing Compliance with Jail Removal in Arizona

- A.R.S. § 8-305 places a six-hour limitation on temporary holding of juveniles in an adult jail or lockup.
- A.R.S. § 8-305 prohibits the secure detention of an alleged status offender (incorrigible) in an adult jail or lockup.
- Relationship with facilities that fall under the compliance monitoring universe is very cooperative.
- Many local law enforcement agencies have implemented department policies and procedures that either reference the JJDP Act or are in accordance with its core requirements.
- Facilities maintain adequate record-keeping systems regarding juveniles temporarily held in the facility.

Role of the State Advisory Group in Monitoring Compliance

The Arizona Juvenile Justice Commission, Arizona's State Advisory Group, reviews compliance issues on a regular basis through the Compliance/Legislative subcommittee. The Committee is apprised of various issues affecting compliance status around the state, and advised of completed and pending site visits. The Arizona Juvenile Justice Commission members are also advised of all compliance monitoring site visits and invited to attend.